

1 BILL NO. S-90-11-50

2 SPECIAL ORDINANCE NO. S- 307-90

3 AN ORDINANCE amending Section  
4 17-71, 17-72 and 17-74 of  
5 Chapter 17 "Motor Vehicles and  
6 Traffic" of the Code of the  
7 City of Fort Wayne.

8 WHEREAS, the Common Council of the City of Fort  
9 Wayne by and through Special Ordinance No. S-185-85, adopted  
10 October 8, 1985, established a method of removal of  
11 abandoned vehicles from private property;

12 WHEREAS, said Ordinance was subsequently codified  
13 as Chapter 17 of the Fort Wayne City Code;

14 WHEREAS, Section 17-71 of said chapter states that  
15 the Board of Public Works and Safety shall be responsible  
16 for the removal, storage and disposal of abandoned vehicles.  
17 This section goes on to state the Board of Public Works and  
18 Safety may contract with private towing firms and  
19 individuals in such business on an annual basis to provide  
20 the equipment, storage area and facilities for the removal  
21 and disposal of abandoned vehicles.

22 WHEREAS, Section 17-72 of said chapter states that  
23 the Board of Public Works and Safety shall establish at  
24 periodic times and places for the sale or disposal of all  
25 such vehicles impounded under this article;

26 WHEREAS, Section 17-74 of said chapter states that  
27 the owner of such abandoned or junk vehicle may in lieu of  
28 the above provisions voluntarily provide for the removal and  
29 disposal of such vehicle by executing an abandoned vehicle  
30 removal waiver with the Board of Public Works and Safety;

31 WHEREAS, to properly transfer the responsibility  
32 for enforcement of this ordinance from the Board of Public  
Works and Safety to Community and Economic Development it is  
necessary to delete references to the Board of Public Works  
and Safety and, in its place, insert Community and Economic  
Development;



1 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON  
2 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

3 SECTION 1. Section 17-71 of Chapter 17 "Motor  
4 Vehicles and Traffic" of the Fort Wayne City Code is hereby  
5 amended to read as follows:

6 Sec. 17-71. Removal by Community and Economic  
7 Development.

8 The Division of Community and Economic Development  
9 shall and is hereby designated as the "public  
10 agency" which shall be responsible for the  
11 removal, storage and disposal of abandoned  
12 vehicles, as designated in the "Abandoned Vehicle  
13 Act," and in order to facilitate the removal of  
14 such abandoned vehicles or parts, the Division of  
15 Community and Economic Development may employ such  
16 personnel and acquire such equipment, property and  
17 facilities as are necessary for the purpose of  
18 removal, storage and disposition of such abandoned  
19 vehicles, not in conflict with the "Abandoned  
20 Vehicle Act," or the Division of Community and  
21 Economic Development may contract with private  
22 towing firms or individuals in such business on an  
23 annual basis to provide the equipment, storage  
24 area and facilities for the removal and disposal.

25 Sec. 17-72. Disposal; abandoned vehicle fund.

26 The Division of Community and Economic Development  
27 shall establish periodic times and places for the  
28 sale or disposal of all such vehicles impounded  
29 under this article. Any moneys received shall be  
30 placed in the "Abandoned Vehicle Fund" which shall  
31 be a revolving fund dedicated to the imforcement  
32 of Chapter 17.


Sec. 17-74. Removal by owner; execution of  
waiver.

The owner of such abandoned or junk vehicle may in  
lieu of the above provisions voluntarily provide  
for the removal and disposal of such vehicle by  
executing an abandoned vehicle removal waiver with  
the Division of Community and Economic  
Development.

SECTION 2. This Ordinance shall be in full force  
and effect from and after its passage and any and all  
necessary approval by the Mayor.

30   
Councilmember

32 APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney





## MEMORANDUM

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TO: Members of the City Council

FROM: Gary Baeten, Neighborhood Code Enforcement  
Administrator *LB/gb*

DATE: November 27, 1990

SUBJECT: Abandoned Vehicle Ordinance Amendment

The attached proposed amendment to the Abandoned Vehicle Ordinance has been submitted to reflect the changes the Abandoned Vehicle Program scheduled to take place on January 1, 1991.

This amendment provides for the transferring the total enforcement responsibility from the Board of Public Works (Right-of-Way Department) to Neighborhood Code Enforcement in the Division of Community & Economic Development. Historically, enforcement activity has been shared between Right-of-Way and Neighborhood Code Enforcement Departments; this amendment will allow for one centralized location of all enforcement efforts.

Should you have any questions regarding this amendment, please contact me at 427-1323.



Read the first time in full and on motion by Basil Lamy, seconded by W. Smith, and duly adopted, read the second time in full title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., E.S.T.

DATED: 11-27-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Basil Lamy, seconded by W. Smith, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT				<u>✓</u>
TALARICO	<u>✓</u>			

DATED: 12-11-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 1307-90 on the 11th day of December, 1990,

ATTEST  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1990 at the hour of 5:00 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of December, 1990, at the hour of 2:15 o'clock P. M., E.S.T.

1122  
PAUL HELMKE, MAYOR



DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE COMMUNITY AND ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE AMENDS SECTION 17-71, 17-72 and 17-74 of Chapter 17

"Motor Vehicles and Traffic" of the Code of the City of Fort Wayne.

Transfers the responsibility of abandoned vehicles to Community

and Economic Development.

*J-90-11-50*

EFFECT OF PASSAGE Responsibility of abandoned vehicles is transferred

to Community and Economic Development.

EFFECT OF NON-PASSAGE Responsibility remains with the Board of Public

Works and Safety.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

BILL NO. S-90-11-50

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON \_\_\_\_\_ REGULATIONS \_\_\_\_\_ TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending Section  
17-71, 17-72 and 17-74 of Chapter 17 "Motor Vehicles and  
Traffic" of the Code of the City of Fort Wayne

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)  
XXXXXXXXXXXX

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*J. Bradbury*  
*C. R. Edmonds*

*Samuel J. Talarico*  
*David C. Long*

DATED: 12-11-90

Sandra E. Kennedy  
City Clerk